(1

Bang Govt Dy Comm's No 827
dt 17/12/97

X Once a week about the
Non-disposal
= As the Dy Comm's states that
the final orders of Govt
have not been received
in his office, may a copy
of the Dy Comm's report of 1890
be called for, in view to
the disposal of the petn of
Smt D Seenaiya

21/1/98

Call for copies from
Dy Comm & Examy
Court -

25-1-98

25/1/98
Dft dockets prep'd & subd
26/1/98

1894-95
(R R)

File No. 100 of 94
Serial No. 1-19

Sub:— Appeal of Nelamangala Bhimarao regarding the reduction of ~~Assess~~ Assessment on lands in Halenahalli Nelamangala Taluk.

the said Village. The mere fact that the Kaipuipulleban who was known by the same name of this land at one time used to irrigate his land with the water from the Kalle, or that such irrigation was noticed at the time of the application does not impose a liability upon the Kaipuipulleban for all time to come.

C.
11-3-98

R.2.6 Bks
11/3/98

I see it is my own recommendations
Opinions
= I left the Opinions
point as a question
fact whether the
land in question
always received
water from the
Kaipuipulleban tank.
I submit it with
the evidence adduced
for the parties

Docket
14/6/95
Argued
17.3.98

14.3.98 WMB

PF. 65/97

G. R. S. IX-5]

Previous references. 1896-95

191

(L.R)

File No. 100 of 94

Serial Nos. 1-19

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-19

Major ~~Part~~ B for August 1901

SUBJECT.

Appeal of Nilamangala Bhimaiah regarding the reduction of assessment on lands in Halenahalli Nilamangala Taluk.

W D 1250—GPB—30,000 - 28-1-19

RD.

Countermark

Entered.

BGR

G.R.S. III—

[To be used c

nent record.]

(1)

After the report was
of file is made 10.2.28

The further search has
shown that the petr was allowed
to irrigate his land from the Kaiyun-
gattadu tank till this Complaint
was disposed of (Please see the B file)
The file was last traced to D.H.O
but was saw & have been
returned.

=

As regards the civil Suit
the D/Comm & the Survey
Supt differed in their views
The Survey Supt's letter that as the
land was irrigated from the
tank in 1878 (1878) - the year of settlem-
t should continue. The D/Comm
however reported that there was
a mere appearance as the water
of the tank was from the Kaiyungattadu
& not from the tank

Put up Secretary

M. 4/2/28

Noted & returned.

It has now been
decided that the grant
of the Kaiyungattadu was
hereditary only to the ex-
tent that water could
should be allowed to
the land in question
from the Kattu in

N.B.—Should
the
this

on the part of the Kaycumputtaw
to continue it for ever.
(3) That the assessment of
Sec. 22 even under this
erroneous classification was
excessive & (4) That the most
equitable course would be
to relieve the Kaycumputtaw
from the liability to
supply water to this land
& to revise the assessment
of Sec. 22.

(4). The Sec. Supt. to whom the
D. Commr's report was
referred for remarks reported
that he was unable to
agree with the D. Commr
and that in his opinion
the Kaycumputtaw could not
object to the land being
irrigated from the Jayawanka

as the land was so irrigated at the time of classification

(5) No orders appear to have been passed on the above reports till in 1897 Bhima Rao's nephew, Govinda Rao complained that, though the Kaigeputtadars refused to allow the land to be irrigated from the Jujur tank, he was forced to pay the wet assessment

on a consideration of the facts set forth in paras 1 & 4 above, the D Comr was requested to report whether, as a matter of fact, the land was irrigated from the Jujur tank & to submit the evidence in the case adduced on both sides

(6) The D Comr reported in reply that from a consideration of the statement filed by Govinda Rao he concluded that the land

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Office Note

Subject- The classification of S.No 22 of Hatenahalli Nelamangala taluk

owing to the loss of the earlier records in this case. The no date of the original petition cannot be given but the following facts as gathered from the Dy Comm'r's report & the existing records may be taken as correct.

(2). At the introduction of Survey settlement into the Nelamangala taluk in the year 1875, Madhwachar, the Kanegrantadar of Jajur in the same taluk was the occupant of S.No 22 in the govt. village of Hatenahalli and used to irrigate the land from the tank in the Kanegrantha

Translation of an orde
dated 18th September 1830 addresse
to Krishnappa, Ameel of Nijagal
by Timmapparaje Urs, Fouzda
Bangalore.

On the application of
Sarvothamachar to have the
village of Jajur of the Heggund
Hobli granted to him on a
Kayamgutta according to ito
Bereez, you were asked to
report the amount of the
Bereez of the said village
and to submit the Saguvali
Pattis thereof Since Siddhardi
Accordingly you reported the
amount of the Bereez of the
village and submitted the
Saguvali Pattis thereof since
Siddardhi under your hand
and seal duly initialled b
the Sheristadar. Moreover
a Huzur order dated Tuesd
the 13th of the bright fortnigh
of Margasira of the Virodhi
year (8th December 1829) was
received to the effect that,
if any one applied for the
grant of the village on a
Kayamgutta according to th
Bereez, an order should be
issued

villages. The Survey Dept
accordingly classed the land
as wet & assessed it at the rate
of Rs 4-14 per acre
In 1879 or thereabouts Madhavacher
relinquished the land which
was subsequently taken up by one Bhima Rao.

(3) In 1889 or thereabouts, the
Kanjamputtadan (Srikantaiya)
appealed to Govt against the
action of the Survey Dept in assessing
on the Kanjamputtadan's tank the
habitat of Wynaad Sr No 22.
The Rev Commr to whom the petn
was referred for report stated
(1) that when the land was given out
for cultivation in 1867, the amildar
of the day had noted that the
land was dependent on its own
moisture & was therefore assessed low,
(2) that the fact that the land was
irrigated from the Jajur tank for
a short period could not be
Construed into an obligation

6

do not always receive
water from the Jaffna tank

The Statement of Sowunda Row
shows that the land was
in Madawachchi's occupancy
from 1867 to 1879 & that
it was supplied from the tank
during the intervening period
& that it was subsequent to
this that the Kayangunthadi
raised disputes

The D. Comm'r was therefore
requested to furnish
information regarding the
extent & assessment of Sho 22,
& the crops cultivated on it
from 1880 & to report whether
as stated in the Sho Supt's letter
of 1890 a portion of S no 23
was supplied from the Jaffna
tank and if so why the
Kayangunthadi made a
distinction between these

lands

(7). In his letter of 17/3/98, the

D.C. reports (1) that the extent of Sno 22 is 12-25 assessed at Rs 17 (of which only 1-19 is wet) (2) that the patwari extracts show that both wet & dry crops have been raised since 1860 (3) that the portion of Sno 23 classed wet has been since 1892 converted into dry.

It may be noted here that patwari extracts for 3 years (1882-83 & 84-85) are not forthcoming but that in all the other years except 1897-98 (Vide Sno 3) jowar is one of the crops

It may also be noted that the present petr Govinda Row has become a sharer in the Kunjeegutta village (vide D.C.'s letter of 22/4/98. Sno 13) When asked why he still complained in the matter, Govinda Row stated that the other sharers did not consent to the land being irrigated

Translation of documents filed by petrs 23/3/99.

conditions a Muchalika should be taken from the said individual and after taking a tangible security to guarantee the recovery of the annual rent, the village should, without any hitch, be treated a Kayamgutta one and no minor works (28 & 29) should be exacted free of charge. The original of this order should be returned after taking a copy thereof. This the 11th day of the bright fortnight of Aswija, Vikruti year (18th September 1830). Given under my hand and seal.

C.R.

18/5/98.

the following Shraya tenure is ordered:—

	P. F.
Vikruti	7-1
Khara	9-6.

Consequently the said village should be made over to the said individual and the assessment under the Shraya tenure should be recovered. From the Khara year a Berij of P. F. 9-6 should be recovered by continuing to treat the village as Kayam-gutta. The said individual shall repair the katte, improve the village by bringing in new lands, pay every year the amount of Berij due and while he maintains himself by what remains, pray for the prosperity of the Govt:.

1. Both of the royal and the Sardar visits the villagers should work free.

The grass and the fruit-bearing trees should not be felled without the sanction of Govt:.

1. Rygs of Govt: villages should not be drafted into this village.

1. The rygs of the village should according to annual cultivate the Amanee lands (lands directly held by Govt).

1 Sandal-wood and Toppale yard Shanis is separately given to Govt:.

1. grass should be supplied according to demand.

Not due regard to these conditions

issued directing that, to guard against pecuniary loss to Govt; the Security of the applicant and the reasonableness of granting it on a Kaulagutta according to Berees should be ascertained and on a security being furnished, the same may be granted on a Sirkaya tenure and that after the expiration of the said tenure the same should be granted on a Kaymugutta according to Berees. Consequently this order is issued. The said Patils duly attested and sealed give the following information:

Berees for 1 Jigar village Lands Rayam, paper and Kattu — 8 -

Bajetalu (Miscellaneous Items)

	P. F.
Sayer	" - 2
Samanaikam	" - 1
Agasmania	" - 1
Kajana	" - 0½
Yadagi Kaniga	" - 1
Bilagi Kaniga	" - ½
Total	" - 6
Grand Total	8 - 6.

"Mr Kaymugutta to be held liable for Collection during Famine"
Mide 1st Bermuring
1876

To Sarvatkaranas for P. F.
cultivation during Famine - 5 - 1.

	P. F.
Village peshjee	4 - 5
Bajetalu	" - 6.

In addition to the above Berees Sarvatkaranas agree to pay the Rayats for granting the Village on a Kaymugutta, thus making up an aggregate total of 1 - 3. For this amount the

ਸਾਰੇ ਸਾਰੇ ਸਾਰੇ

Compd.

Capt.

[Gen. Serial No. 32.]

1895

No. 2439

Name of Petitioner. Selavarayalada Bhimakar

Village. Door No. 7 Sijebeli

Taluk. Pelle - Bangalore

District.

Date of Arzi. 20 - 3 - 95

Date of Receipt. 23 - 3 - 95

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

Reminder Petition

States that he was complainant since 1880 about his land Survey No. 22 in Halenahalli not being supplied with water from the tank belonging to the Kayam Pelle village of Jasur - that on the Kayamgalladar appealing to the Diwan in 1889 Mr. Krishnamma the then Dy. Commr after inspecting the land examining the records recommended on 13th May 1890 that the Kayamgar should be reduced - that the matter not having been decided in accordance therewith his nephews had complained - that

L. R. 166 - 96 - 1

11-4-95

Search to be made by reference to the Home & Rev. to ascertain what reply was sent to Dy. Commr's reference where the papers are

11/5

Sir Records

Please see what reply was sent to Dy. Commr's reference referred to in the petition.

4/5

To Pet. Non Branch

Please find out the Petitions named by the Ver: Record perhaps the English correspondence required to be found with them. As Bangalore Dy. Commr's letter of reference was put up Survey Dispatch No. 1324/94-95 which is marked as having been sent to Mr. P. S. Krishna Row on 19/5/91 and nothing is marked against this in the 2007 both in Gft & Special Registers.

4/6/95.

Mr Walk

11/6/95

The references cannot be traced.

16/5 Please make a thorough search of Pendu Council Papers and note result. 17/5

mam 7/5

The refers cannot be traced. Old papers recd herewith with orders 8/7

This not among the old papers.

In reply he was granted Endorsement
No. 2742 of 16-2-91 intimating that the
matter was under the consideration of
Govt and that there was no necessity to
complain about the matter on and off
that on submitting a grievance Endorse-
-ment No. 2580/15-5-92 was granted
that he has been paying Enhanced Assessment
since 1880. that he has no other means of
livelihood Excepting this land and that
he has been laboring under much hardship
without obtaining justice - Prays therefore
that on perusal of the records connected
with his case Equitable orders may be
passed.

L/A.

Subd 6 the Rev. Secretary
Attempts made & pointed out the refers
have been unsuccessful

12/5

Rt
504.

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

L.R. 101-96-2

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition

Registered No. 2439 dated 20-3-95 and
Rec. 707 of September 97
received at the Dewan's Office from Kalavangala Bhimi Row and Govind Row respectively
praying that early orders may
be issued for the restoration of supply
of land Survey No. 22 of Halemahalli
Nelamangala Taluk, in consequence of
the land not being supplied with water
from the tank belonging to the Kaigam
Palli village of Jajur - are

~~is~~ forwarded, ~~together with its~~
~~enclosure~~, to the Deputy Commissioner
of the Bangalore District,
~~for disposal~~. with a request that he
will be good enough to inform this
office whether any final orders have
issued by Govt. in this case.

2. The petitions should be returned.

By order,

Dft.

for Secretary.

28-5-97

BANGALORE,

11 Oct 1897.
12

18

Resnt & 2nd Committee

Please see paras 3 of D
Comm's report of 14/5/98 (Sno 8)
& the 1st para of 2D Comm's
report of 22/4/98 (Sno 13)
These seem to show that
the land was waste before
Madhavrao took it
up & was assessed
when it was first given out
per Collr Yahuri

Rd 7/4/99.
7.4.99.

Thy 7/4/99

The cases regular-
ly recommended
by Resn that prior
to Madhavrao
taking up the land
it was cultivated
with wet crops or
that it received
any supply of water

from the Kangungodda
Iman Tank - Madawachi
Who was also the owner
of the tank with it
up on a low bund and
cultivated it bene-
ficially with the use
of his own water. But
when this tank was
provided & the land
was assessed heavily
with regard to the water
of this tank he gave
it up - Now can be
no question that the
Kangungodda dam is
not in the nature
of (Mamool) usage
or a Peripie
contract to the contrary
bound to give water
of this land outside his village
of this tank. No such
usage or ^ contract
has been established
and the classification
of the land must
be altered accordingly
& the assessment
of the land S. R: 22 revised.

8/4/99

Print

Taylor 7/4/99

25

The enclosures of the
References under reply are
returned.

I have the honor to be
Sir,
Your most obedient Servant,
W. Rowe Lankester
Deputy Commissioner

L

Post office Mark &
Cyphers for Signatures

Ref
504
22

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

L. R. 101-96-2

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition

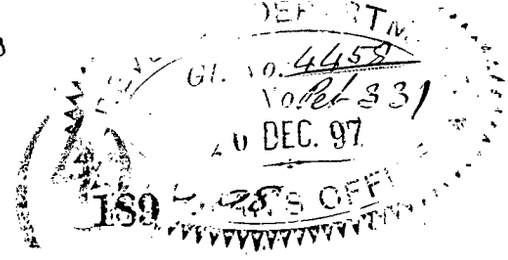
Registered No. 2439 dated 20-9-96 and
(Pp. 207 of Cahiers 97)
received at the Dewan's Office from Kalinga Bhatta Ravindra Pandit Row, requesting
[illegible]

is forwarded, together with its enclosure, to the Deputy Commissioner of the Bangalore District, for disposal. Petitioner states that he

660

23

Gen. 31



Petition

20/12/97

Petitioner

(Please see the remarks made by the Genl RDs. on the Petn dtd 24-8-98 20.3.98 & the letter dtd 12-8-90 from DC. regarding the subject in question. & the Gl. RDs. will kindly refer it in the Petn & petitioners reply if any)

29/12/97

L.R. 100-96-3

A careful search has been made in the Firm and Ld Registers (Survey & Assessment) for 1896-97 and nothing is recorded against the Nos (132-39-9-6-9) Genl Nos 200 mentioned in the Collectorate Records but in the General Registers is marked against the P.S. Krishna Rao the Assistant Commissioner on 19-5-97.

2-1-98

923

7/1/98

Submitted

15.1.98

The pltr in this case represents Bhima Rao that his uncle [illegible] appealed in 1889 against the assessment of Rs 22 of Kalivanahalli. Appeal was submitted by the RDs Court in 1890 & beyond the fact that the pltr's uncle Krishna Rao in 1894 had appealed the Records are unable to further info. The pltr — Bhima Rao's nephew — says that he undertook some time back & is representing

From

The Deputy Commissioner of the Bangalore district

To

The Secretary to Govt. of Mysore Revenue & General Depts.

Dated 16th

Despatched 17th December 1897.

Received

General No.

No. 827.

Enclosure No. two

Secretary's official memorandum No. Pet 564 of the 11th October 1897.

States that an [illegible] order was passed by Government on the report submitted with this office letter No. 128 dtd 14th May 1890 regarding the petition of Bhima Rao and Govind Rao of Nelamangala to reduction of assessment on wet land in Kallenahalli village.

D. No. 827.
Gen. 2.

Bangalore District
Dy. Commissioner's Office
Bangalore, 16th December 89
17th Do.

To
The Secretary to the Govt. of Mysore
Revenue and General Depts.

Sir,

With reference to your Revenue Memorandum No. 504 Pet of the 11th October 89, and the telegraphic reminder marginally noted, enquiring whether any final order has been issued by Government on the petition of Bhima Rao and Ganiga Rao of Nelamangala praying for the reduction of assessment on wet land survey No. 22 in the Hallenahalli village of the Nelamangala Taluk, I have the honor to state that orders have not been received on the report on the subject submitted to Government with this Office letter No. 125 dated 11th March 890.

Pet dated 660 1st December 89

The

2 drafts

1898

From

The Secretary to the Govt. of
Rev. & Genl Depts

To

The Dy Comr of the
Bangalore Dist

Dated 28th

Despatched 31 Jany/98

Received

General No. 7080 P

P. No. 936

Enclosure No.

L.R. 100-94-4

His letter No: 827 dated
16th December 1897 stating
that no final orders have
been ~~issued~~ by Govt on his
report in connection with
the petition of Bhimadas
and Govindadas of Vela
mangala praying for
the reduction of assessment
on wet land S. No 22 in
the Hallenahalli village of
the Welamangala Taluk

With reference to the above
has the honor to request
that a copy of his report
No: 128 dated 14th May 1890

may
be prepared and submitted
to Govt
early -

"By order"

20

Offr

Sr Secy

28/1/28

Note

145

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REGD. NO. 4875
DATE 25-3-95

ಪಬ್ಲಿಕ್ಕುಸ್ತಾರುಗವರ್ನರ್ ಮೆಂಟರವಿಸ್ಪೆಕ್ಟರ್ ನವರುಲಕ್
ಪಾಹೀರಬ್ಬಾಬುದೂಭಾಶರವರಜನಾಬಿಗೆ -

ಸನ್ 1875ನೇ ಅಲುಸರಿವೆಂಬರ್ 2ನೇ ತಾರೀಕ್ಲು - ಬೆಂಗಳೂರುತಿರಗೆಬಂದೆಲಿ - ಗನೆ
ನಂಬಾರು ವುನೇಅಟ್ಲಾರುವರ - ನೆಲವಂಗಲು ಅಬ್ಬಿವು ರಾವು ಬರೆದುಮೆಳ್ಳಂಡಕಾಗದ
ಅಜಿರ್ ಅಲ್ಲಿಕ್ಕಂದರೆ -

ಇವೆಂಗಳೂರುಂಕು ಡಿಸ್ಟ್ರಿಕ್ಟೆ ನೆಲವಂಗಲುತಾಲ್ಲೂಕಿನಲ್ಲಿ ನಿಜುಗಲ್ಲುಸಂಮು
ರಮ್ ಡಾಲ್ಲಿನಬುಕ್ಕಿಸಾಮವನ ನಪ್ಪಕ್ಕು ಬಳ್ಳಿಕಿಳ್ಳಿಂದಕ್ಕೂ - 22 - ತಾ ನೆನಂಬಾರು
ಜವಿಂಗನಿಗೆ ತಾಲೂಲುಂ*ಕ್ಕಾಗಿ ಜಾಬ್ತಾಂಶಾರುಸಾಮವನ ಕೈಕೆನಾಲಿನ ಲಾಸುಂಗಿಕಾಡಿನು
ಇಸಾರವನ್ನಿಡಿಂದ - ನಿಜಿರಸ್ಥಳಕ್ಕೆ ತೆಸಾಂಡಿದ್ದಲ್ಲಿ ಅವರಕೆಲ್ಲಿ ಸಂಗತಿಲಾಲ್ಲಿ - 1880ನೇ ಅಲುಸರಿ
ಲಾಂಗಾಲುಸಾಲುದಕ್ಕೆ ಕುದ್ದಿ ಪ್ರಿಲಾರ್ಡಾದು ವಾಂಡಿಸ್ತಿರಮೆಲ್ಲಾಲು - ಸಂದರಿಜಾಂಜಾ
ಕುತಾಲೂಲುಂ*ಕ್ಕಾಗಿದಾಂಕು. 1887ನೇ ಅಲ್ಲುಸರಿ ಜುಲಾಲ್ಲಿ 26 ತಾರೀಕ್ಲು ದಿವಾರ್ಡಾಂಬ್ಲಿ
ಇವ್ ಬಾಬುದೂಭಾಶರವರಿಕ್ಲು ಅಬ್ಬಿಪ್ರಿಲಾರ್ಡಾದು ವಾಂಡಿಸ್ತಿರ ಮೆಲ್ಲಾಲು ಶಂದರಿಜಾಂಜಾ
ಕುತಾಲೂಲುಂ*ಕ್ಕಾಗಿ ಅಲ್ಲಿಕ್ಕಿಂದರೆ - ಇವೆಂಗಳೂರುಂಕು ಡಿಸ್ಟ್ರಿಕ್ಟೆ
ಬ್ಬಿಪ್ಪದಾಬಾದವಾಲು - ಗಡುವಾಂಡಿನೆ ತಿಪ್ಪಾಲ್ಲಿಲಾಗಬಕ್ಕೆ ತೆಂದುಂ - 1840 ನೇಅಲುಸರಿ ನೆ
13 ತಾರೀಕ್ಲು ವಿಕಿಪ್ಪೆಕ್ಕರಸಿ ಪಾಂಡಿಕೆಸ್ಟ್ ಸಂಗಿನೆ ವಿಚಾರಾಲ್ಲಿ ಇಂಗುಲಾಗದವಿದ್ದರುಂ -
ಆರಿಲ್ಲಿಕಿಪ್ಪೆ ಸುಲ್ಲಿ ಆಸಲ್ಲಿಲ್ಲವೆಂದುಂ ನಂಗಳ್ಳಿಪ್ಪಾಂದ್ರಿಂದಕ್ಕೂ ಪೈಕ್ಕೆ ಪ್ಪೈಕಿಶರಸ್ಥಾನಾಲ್
ತೀರ್ಪುನಿಪಾಂಸುತಾಲೂಲುವರವರ ನಗಪ್ಪಿಲಾರ್ಡಾದು ವಂತಾಲ್ಲಿದ್ದರಮೆಲ್ಲಾಲಿ - 1871 ನೇಅಲುಸರಿ
ಫೆಬ್ರುವರಿ 16ನೇ ತಾ 27/42 ನೇಸಿಕ್ಕಾಶಿಅಲುಂಡಾಲ್ಲಿ ನೇಲ್ಲಿ ಗವರ್ನರ್ ಮೆಂಟುವರವ
ಲಿಅಲುಂಗಿಸಿನೇಲ್ಲಿಲ್ಲಿಕವರಾಲಾಲು - ಸುದೆಸುದೆ ಪ್ರಿಲಾರ್ಡಾದು ಮಾಡಿಕೆಲಾಸುವಿ
ಲ್ಲವೆಂದುನೇವುಂಡಾಲಿಕ್ಕೆ - ಇಬಗುಲ್ಲಡಿವಸುಗಳನಂತರ ಶುನೇಡಾಲ್ಲಿಲಾರ್ಡಾದು
ದುವಂಡಿಸ್ತಿರಮೆಲ್ಲಾಲಿ. ಆನಿಲ್ಲಿಸುಂಗತಿಕ್ಕೆ ಸಂದು 1892 ನೇಅಲುಸರಿ ಏಪ್ರಿಲುವರಿ 15
ನೇತಾ 2518 ನೇನಂಬರಾಲು ಅಲುಂಡಾರಜ್ಞಾ ತೆಲಾಂಡ್ಲಿಕಳಿಚ್ಚಿಕಿ.

ಪೈದಯಿತಾ :: 1880ನೇಅಲುಸರಿಲಾಗಾಲ್ಲುಲು ಆದಿಲಾಬಾದ

ಅಪ್ಪಾಜಿಯವರೆಂದಾಗಲೆಲ್ಲಾ ಅವರು ಕಣ್ಣಿಗೆ ಕಟ್ಟಿದಂತೆ ಕಾಣಿಸುತ್ತಾರೆ. ನಾವೆಲ್ಲಾ
ಪ್ರೀತಿಯಿಂದ ಅಪ್ಪಾಜಿ ಎಂದು ಕರೆಯುತ್ತಿದ್ದರು. ಅವರಿಗಾಗಿ ಹಲವಾರು ಹಾಡುಗಳನ್ನು ಹಾಡಿದ್ದೇನೆ. ಅವರ
ಬಗ್ಗೆ ಬರೆಯಲು ಅನೇಕ ವಿಷಯಗಳಿವೆ. ಅವರ ಜೀವನದ ಕೆಲವು ಮುಖ್ಯ ಘಟನೆಗಳನ್ನು ಇಲ್ಲಿ
ಬರೆಯುತ್ತಿದ್ದೇನೆ. ಅಪ್ಪಾಜಿಯವರು ಹುಟ್ಟಿದ್ದು ಕನ್ನಡ ಸಾಹಿತ್ಯ ಲೋಕದ ಪ್ರಸಿದ್ಧ ಕುಟುಂಬದಲ್ಲಿ.
ಅವರ ತಂದೆ ಶ್ರೀ ಪುಟ್ಟಣ್ಣ ಕಣಗಾಲ್ ಅವರು ಕನ್ನಡ ಚಿತ್ರರಂಗದ ಮೇರು ನಿರ್ದೇಶಕರಲ್ಲಿ ಒಬ್ಬರು.
ಅವರ ಚಿತ್ರಗಳಲ್ಲಿ ಅಪ್ಪಾಜಿಯವರು ಅಭಿನಯಿಸಿದ್ದಾರೆ. ಅಪ್ಪಾಜಿಯವರ ಅಣ್ಣ ಶ್ರೀ ಶಿವರಾಮ್ ಅವರು
ಕೂಡ ಚಿತ್ರರಂಗದಲ್ಲಿ ಪ್ರಸಿದ್ಧರಾಗಿದ್ದರು. ಅಪ್ಪಾಜಿಯವರು ಚಿಕ್ಕವರಿದ್ದಾಗ ಅವರ ತಂದೆಯವರ ಚಿತ್ರಗಳಲ್ಲಿ
ಅಭಿನಯಿಸಿದ್ದರು. ಅವರ ಮೊದಲ ಚಿತ್ರ ಬೆಳ್ಳಿ ಮೋಡ. ಅಪ್ಪಾಜಿಯವರು ಸಂಗೀತ ಕಲಿತಿದ್ದು ಸಂಗೀತ
ವಿದ್ವಾನ್ ಶ್ರೀ ಕೆ.ಎಸ್. ನರಸಿಂಹಸ್ವಾಮಿಯವರಲ್ಲಿ. ಅಪ್ಪಾಜಿಯವರು ಸಂಗೀತ ಕಲಿಯಲು ಪ್ರಾರಂಭಿಸಿದ್ದು
ಚಿಕ್ಕವಯಸ್ಸಿನಲ್ಲಿ. ಅಪ್ಪಾಜಿಯವರು ಸಂಗೀತ ಕಲಿಯಲು ಪ್ರಾರಂಭಿಸಿದ್ದು ಚಿಕ್ಕವಯಸ್ಸಿನಲ್ಲಿ. ಅಪ್ಪಾಜಿಯವರು
ಸಂಗೀತ ಕಲಿಯಲು ಪ್ರಾರಂಭಿಸಿದ್ದು ಚಿಕ್ಕವಯಸ್ಸಿನ

No. 707

Minerals Leases Office
Petition Department
Regd. No. 7045

5614
Rt 413.

189

From (8)

Dy. Commissioner, of the
Bangalore District.

To
The Secretary to the
Govt. of Mysore
Rev. & Genl. Depts.

L. R. 100-94-6

Dated 3d. }
Despatched 4th } February 1898.
Received

General No.
D No. 1018

Enclosure No. one

Secretary's docket No.
7080 of the 28th January 98.
P-936

Forwards a copy of the Note letter No. 128 dated the 14th May 1890 regarding on the petition of Bhima Rao of Nelamangala praying for reduction of assessment on his wet land in the Hallenhalli village

Petn
Rev 5/2/98

Rec'd 7/2
Regd petn
AK 9/2/98.

2 drafts

37

1898 (7)

From

The Secretary to the Govt
Rev & Genl Depts

To

The ~~Hon.~~ Supt of
Revenue Surveys in Govt

L.R. 100-96-5

Dated 28th

Despatched 31 Jany/98

Received

General No. 7081 P

P. No. 937

Enclosure No.

~~The~~ Mr Lohmann's request that [illegible]
~~in reference to the~~
~~Survey Supts~~ Letter No
132 dated 7-6-90 regarding
the ~~Mr Lohmann~~ encroachment on Govt land s-22
in the Hallimahalle village
of the Nelamangala Taluk
belonging to Bhimarao
and Govindarao has
the honor to request
that he will be good
enough to submit to Govt
a copy of his letter above
quoted

By order

'Off'

Collector

A Draft be ~~sent~~ forwarded
as the original could not
be traced in the
office

Appu

33

D. No. 1018/E.1

Bangalore District
Dy. Commissioner's Office
Bangalore 3rd February 1898.

To,

The Secretary
to the Government of Mysore
Revenue and General Departments.

Sir,

As required in your docket No. 7080/6936 of the 28th January 1898, I beg to forward, herewith, a copy of this office letter No. 128 dated the 14th May 1890, report-ing on the petition of Bhima Row of Nelamangala, praying for reduction of assessment on wet land Survey No. 22 in the Hallenhalli village of the Nelamangala Taluk.

I have the honor to be,
Sir,
Your most obedient servant,

Venkatacharyulu

Dy. Commissioner,
Bangalore District.

irrigating the land and very properly valued the supply as they found it. There is no reason to suppose that — there was any mis-apprehension of the circumstances of the irrigation as suggested by the Deputy Commr. Bheema Roo so far as the records show is quite willing to hold Survey No. 22 at the Survey — rates. The source of supply is distinctly put down by the classer as the Kamigatta village tank and I imagine that there can be no doubt that such was the real state of things at the time of classification.

Survey No 22 now in question and 13 guntas out of Survey No 23 are the only lands in Halenahalli classed as receiving water supply by channel from the Gajur tank. The classers could only class according to what they found

found and not according to the right
or otherwise of the land to use the
water of the Gajur tank.

I have &c

Sd/ G. P. Grant
Supt MRS.

"Copy"

A Hunt
Supt. Mysore Revenue
Survey

34

Gen. Serial No. 36.]

G.R.S. III—3]

Routine

[To be used only for notes, requisitions,

L. R. 100-94-7

From

The Supt Mysore Revenue Survey

To

The Chief Secretary to the Govt Dewan of Mysore.

Dated 5th February 1898

Despatched

Received

Enclosures No. 1

General No. 508
No.

In reply to Secretary's Docket No 7031 P937

SUBJECT. P/31st January/98

Has the honor to forward copy of this office No 132 dated 7th June 1890 as desired.

Supt Mysore Revenue Survey

References—(to be entered only in the Dewan's Office).

Rec'd 8/2

Reps put up

10/2/98

N.B.—Should routine notes be written on m
the notes must be copied, or slip
his form.

be evident from the above papers that the land referred to above was not built by Govt. that there is a separate Patch called Poravikatte for the Govt. village of Hulimahalli - that it was built by Govt. - that other lands depend upon it for water - and that orders may be issued for the re-duction of assessment of the land above referred to - Pray that Early orders may be issued in the matter as the last Khist is fast approaching -

Sd
13/4/98

1. Copy of the Lawad of 18-9-1830 of the Kayam patta Jagir village
2. Copy of Kayam patta Patta of 23-7-1836

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

No 132

Enclosure
to Collector's
Letter of Date
No 35

Survey Superintendent's Office

Bangalore 9th June 1890

To

The Chief Secretary to the
Government of Mysore.

Sir,

In reply to your Docket
No 1113/22 dated 28th May 1890 with en=
=closures herewith returned I have the
honor to report that as the Kaveripatta
village of Jigani in the Bélamangala
Taluk was measured only "on lobo"
and was not classed, there is no in=
=formation forthcoming as to the date
on which the tank was first con=
=structed.

2. As to the time of classing Survey
No. 22 of Hulimavu the patta —
had

had just been changed from Madhavaraya-
-chari's name to the name of Raghavamma wife
of Bhima Rao a remark to this effect
appearing in the Classes Book.

3. If I may offer an opinion on the
question at issue I should say that as
the jagir tank, a katte, was evidently
in existence prior to the grant of the
Kamgatta village in 1830, the Inamdar of
the jagir village has no right to —
interfere with the "Kunal" as regards
the water supply to Survey No. 22
of Hebbalahalli.

4 The Deputy Commissioner observes
considers the assessment fixed by the
Survey Department on Survey No 22 as
excessive but is unable to see upon
what grounds he bases this opinion.
The Classers found the water of
the jagir tank was utilized for
irrigating

References

1043 Jagir Cadastre

P.F. 65-97

The above file on the subject is put up

L.R. 100-94-8

(11)
1898

No. 2512

Name of Petitioner Fernando Lopez of Velsao

Village

Taluk Bardez

District

Date of Arzi 11-4-98

Date of Receipt 11-4-98

Date of Disposal

No. of Enclosure 2

ABSTRACT

States that he owns Vin. 22 of Halvanddi measuring 0-28 and mortgaged Rs. 18½ @ Rs. 4-4- per cent that the above land was given in his favour that the land was replaced by four more out of the Comunidade village of Jagir that in 1860 Vendavaya the then Comunidade objects to mortgage the land with the Talukdar Bardez for the Encroachment Notice was issued but could not be served the Applicant for the land that thereafter Surveyor visited the premises of the above land but

14/4/98

15/4/98

To Dy Collector

No 4787 dt 16/3/98

PF 65-97

16/4/98

one Julian Sept. 22 and 65 Shortwaithay
2 - 54 - that Lieutenant the village of
Jupiter was duly in Lieutenant of the Lake
of Neilbart - that it was lawful by
the Lieutenant who was declared to Lieu-
tenancy state above laid and signed
the appeal to Jupiter 20-6-57 - that the
case was referred to Sydney for Inquiry -
that after inquiry the Sydney Court
held a letter dated 20-3-58
recommending the Lieutenant Lieutenant
Governor Land - that the above recom-
mendation was received on 25th day of June
for the Lieutenant Governor - that
his Jupiter was still Postal Road to Lieu-
tenant Governor after the Lieutenant
on 29-3-58 and gave judgment in
detail - that Survey No. 65 which was given
to Blomfield in Lieutenant Lieu was applied
a letter test - that Survey No. 22 situate
between Lieutenant and Lieutenant - to have
a boundary of the Lieutenant
of the Village to be reduced - that the
Land of the Jupiter Village which was sold
Lieutenant Lieutenant Lieutenant Lieutenant
the Lieutenant above referred to - that the respon-
dent is still Lieutenant who was
the Lieutenant Lieutenant of the Village
and who was Lieutenant in the Village of Lieutenant
with Lieutenant Lieutenant - that Lieut
Lieutenant Lieutenant Lieutenant Lieutenant
Lieutenant - that the Lieutenant appointed
of 18-3-58 and also a Lieutenant Lieutenant
Lieutenant 23-7-1858 - that it will

25.12

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO.
DATE

7218
Rf 593
1897-98

From

The Dy. Commissioner, of the
Bangalore District.

To The Secretary to the Govt
of Mysore
Gen'l & Rev Departments.

Dated 22nd } April 1898
Despatched 23rd }
Received
General No.
D No. 1391
Enclosure No 1 file

Secretary's docket No
8787 Dt. 18th March 1898.
97 65-97

Reports that enquiries instituted show that Rhimavara's wetland, Survey No. 22 of Halenhalli village, Nelamangala Taluk, did not always receive water from the Kempangutta tank.

Petition No 42

File relating to 25/4/98
the subject as put up

WK
26/4/98

With reference to the Council's order dated 19. the Dy Comr reports that the land in question did not always receive water from the Kempangutta tank

26.4.98

Ask the Dy Comm to return the enclosures sent with his

Pet. 5/20/4/98
F65-97

14/7/5/98

L.R. 100-94-10

D. No. 1391.

Su. 1 file.

To

Bangalore District
Dy. Commissioner's Office
Bangalore 22nd April 1898.

The Secretary to the Government
of Mysore,
Gen.l & Rev. Departments.

Sir,

With reference to your docket No. 8787 of the 18th March 1898, calling for some Ref. F. 65-97 information regarding the irrigation of Survey No. 22 of the Halenhalli village in the Nelamangala Taluk from the Jajur Kayangutta tank, I have the honor to forward herewith a statement made by Govinda Row, one of the present Kayan-guttadars of Jajur and holder of Survey No. 22 of the Halenhalli village. In the statement he says that the land was originally lying waste and that in the year Prabhava (1867-68) it was taken up by Madhavachar, the then Kayangutta-dar of the Jajur village, who cultivated it with the aid of the water of the tank in his Kayangutta village. In 1878-79, on account of the high assessment im-posed on the land during the Survey Settlement, he relinquished it, and one

ಮೇಲಿನ ಪ್ರಕಾರ ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳಿಗೆ ತಿಳಿಸಲಾಗಿದೆ. ಈ ವಿಷಯದ ಬಗ್ಗೆ ಹೆಚ್ಚಿನ ಮಾಹಿತಿಗಾಗಿ ಸಂಬಂಧಪಟ್ಟ ಕಚೇರಿಯನ್ನು ಸಂಪರ್ಕಿಸಬಹುದು. ಈ ಕಾರ್ಯಕ್ರಮದ ಅನುಷ್ಠಾನಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯಾವುದೇ ಸಮಸ್ಯೆಗಳು ಉಂಟಾದಲ್ಲಿ ತಕ್ಷಣವೇ ಜಿಲ್ಲಾ ಕೇಂದ್ರಕ್ಕೆ ವರದಿ ಸಲ್ಲಿಸಬೇಕು. ಅಗತ್ಯ ಮಾರ್ಗದರ್ಶನಕ್ಕಾಗಿ ಜಿಲ್ಲಾ ಕಚೇರಿಯನ್ನು ಸಂಪರ್ಕಿಸಬಹುದು. ಈ ಯೋಜನೆಯ ಯಶಸ್ಸಿಗೆ ಎಲ್ಲರ ಸಹಕಾರ ಅಗತ್ಯ. ಸಾರ್ವಜನಿಕರು ಈ ಸೌಲಭ್ಯವನ್ನು ಸದುಪಯೋಗಪಡಿಸಿಕೊಳ್ಳಬೇಕು. ಅರ್ಜಿ ನಮೂನೆಗಳನ್ನು ಉಚಿತವಾಗಿ ವಿತರಿಸಲಾಗುವುದು. ಅರ್ಜಿಯೊಂದಿಗೆ ಅಗತ್ಯ ದಾಖಲೆಗಳನ್ನು ಲಗತ್ತಿಸಬೇಕು. ಅಪೂರ್ಣ ಅರ್ಜಿಗಳನ್ನು ಪರಿಗಣಿಸಲಾಗುವುದಿಲ್ಲ. ಅರ್ಜಿ ಸಲ್ಲಿಸಲು ಕೊನೆಯ ದಿನಾಂಕ ಮುಂಚಿತವಾಗಿ ತಿಳಿಸಲಾಗುವುದು. ಆಯ್ಕೆಯಾದ ಫಲಾನುಭವಿಗಳ ಪಟ್ಟಿಯನ್ನು ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಕಚೇರಿಯಲ್ಲಿ ಪ್ರಕಟಿಸಲಾಗುವುದು. ಆಕ್ಷೇಪಣೆಗಳಿದ್ದಲ್ಲಿ ಸಲ್ಲಿಸಲು ಅವಕಾಶವಿದೆ. ಅಂತಿಮ ಆಯ್ಕೆಯ ನಂತರ ಸೌಲಭ್ಯ ವಿತರಣೆ ಮಾಡಲಾಗುವುದು. ಈ ಕಾರ್ಯಕ್ರಮದ ಬಗ್ಗೆ ಹೆಚ್ಚಿನ ಮಾಹಿತಿಗಾಗಿ ಸಹಾಯವಾಣಿ ಸಂಖ್ಯೆ ೧೮೦೦-೪೨೫-೭೭೭೭ ಗೆ ಕರೆ ಮಾಡಬಹುದು. ಈ ಸಹಾಯವಾಣಿ ಬೆಳಿಗ್ಗೆ ೯ ರಿಂದ ಸಂಜೆ ೫ ರವರೆಗೆ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತದೆ. ಭಾನುವಾರ ಮತ್ತು ಸಾರ್ವಜನಿಕ ರಜಾದಿನಗಳಲ್ಲಿ ಸಹಾಯವಾಣಿ ಕಾರ್ಯನಿರ್ವಹಿಸುವುದಿಲ್ಲ. ಈ ಯೋಜನೆಯ ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಆಇ ೧೨೩ ಗ್ರಾಅಪ ೨೦೨೩ ದಿನಾಂಕ ೧೫-೦೩-೨೦೨೩ ರಲ್ಲಿ ಹೊರಡಿಸಲಾಗಿದೆ. ಮಾರ್ಗಸೂಚಿಗಳ ಪ್ರತಿಯನ್ನು ಎಲ್ಲಾ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಕಚೇರಿಗಳಲ್ಲಿ ಲಭ್ಯವಿರಿಸಲಾಗಿದೆ. ಈ ಯೋಜನೆಯ ಅನುಷ್ಠಾನದ ಮೇಲ್ವಿಚಾರಣೆಗಾಗಿ ಜಿಲ್ಲಾ ಮಟ್ಟದ ಸಮಿತಿಯನ್ನು ರಚಿಸಲಾಗಿದೆ. ಸಮಿತಿಯ ಅಧ್ಯಕ್ಷರು ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿ ಸಿಇಒ ಆಗಿರುತ್ತಾರೆ. ಸಮಿತಿಯು ಪ್ರತಿ ತಿಂಗಳು ಸಭೆ ಸೇರಿ ಪ್ರಗತಿಯನ್ನು ಪರಿಶೀಲಿಸುತ್ತದೆ. ಸಮಿತಿಯ ಸಭೆಯ ನಡಾವಳಿಗಳನ್ನು ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿ ಕಚೇರಿಯಲ್ಲಿ ದಾಖಲಿಸಲಾಗುತ್ತದೆ. ಸಮಿತಿಯ ಸದಸ್ಯರಾಗಿ ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿ ಸದಸ್ಯರು, ಶಾಸಕರು ಮತ್ತು ಸಂಸದರು ಇರುತ್ತಾರೆ. ಸಮಿತಿಯ ಕಾರ್ಯದರ್ಶಿಯಾಗಿ ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿ ಉಪ ಕಾರ್ಯದರ್ಶಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಾರೆ. ಸಮಿತಿಯ ಸಭೆಯ ಕಡತಗಳನ್ನು ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿ ಕಚೇರಿಯಲ್ಲಿ ಸಂರಕ್ಷಿಸಲಾಗುತ್ತದೆ. ಸಮಿತಿಯ ಸಭೆಯ ದಿನಾಂಕವನ್ನು ಮುಂಚಿತವಾಗಿ ತಿಳಿಸಲಾಗುತ್ತದೆ. ಸಮಿತಿಯ ಸಭೆಯ ಕಾರ್ಯಸೂಚಿಯನ್ನು ಸಭೆಗೆ ಮುಂಚಿತವಾಗಿ ಸದಸ್ಯರಿಗೆ ಕಳುಹಿಸಲಾಗುತ್ತದೆ. ಸಮಿತಿಯ ಸಭೆಯ ನಡಾವಳಿಗಳನ್ನು ಸಭೆಯ ನಂತರ ೭ ದಿನಗಳೊಳಗೆ

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From

The Secretary to Govt
Revenue Department

To

The Deputy Commissioner
Bangalore Dt

L.R. 101-96-M

Dated 18th

Despatched 19 March 98

Received

General No. 8787 P

R.T. No. 6[illegible]-97

Enclosure No.

The Commr's letter No. 1018 dated 3-2-98, forwarding a copy of his letter No. 128 dated 12-5-1890 reporting on the petition of Chikka Rao of Nelamangala praying for reduction of assessment on his wet land 5-1/2 acres of Hadenahalli village in the Nelamangala Th.

With reference to the above he has the honor to request the Commr's letter to be so good as to find, as a question of fact, whether the land above referred to always received water from the Kempambudhi tanks and submit it with the evidence adduced by both the parties.

By order

17-3-98

for Secretary

ਸਰਦਾਰ ਹਰਦੀਪ ਸਿੰਘ ਸਾਹਨੇਵਾਲ ਵਲੋਂ ਸ਼ਰਾਬ ਦੇ ਠੇਕੇ ਦੀ ਨਿਲਾਮੀ ਰੱਦ ਕਰਨ ਸਬੰਧੀ ਦਾਇਰ ਕੀਤੀ ਪਟੀਸ਼ਨ ਖਾਰਜ

ਹਾਈ ਕੋਰਟ ਨੇ ਕਿਹਾ ਕਿ ਪਟੀਸ਼ਨਰ ਕੋਲ ਸਬੰਧਤ ਅਥਾਰਟੀ ਕੋਲ ਅਪੀਲ ਦਾ ਬਦਲ ਮੌਜੂਦ ਹੈ

ਚੰਡੀਗੜ੍ਹ, 15 ਅਗਸਤ (ਪ੍ਰੈਸ ਨੋਟ)

ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ ਨੇ ਸਰਦਾਰ ਹਰਦੀਪ ਸਿੰਘ ਸਾਹਨੇਵਾਲ ਵਲੋਂ ਸ਼ਰਾਬ ਦੇ ਠੇਕੇ ਦੀ ਨਿਲਾਮੀ ਰੱਦ ਕਰਨ ਸਬੰਧੀ ਦਾਇਰ ਕੀਤੀ ਪਟੀਸ਼ਨ ਖਾਰਜ ਕਰ ਦਿੱਤੀ ਹੈ। ਹਾਈ ਕੋਰਟ ਨੇ ਕਿਹਾ ਕਿ ਪਟੀਸ਼ਨਰ ਕੋਲ ਸਬੰਧਤ ਅਥਾਰਟੀ ਕੋਲ ਅਪੀਲ ਦਾ ਬਦਲ ਮੌਜੂਦ ਹੈ ਅਤੇ ਉਹ ਪਹਿਲਾਂ ਉਸ ਬਦਲ ਦੀ ਵਰਤੋਂ ਕਰੇ। ਜਸਟਿਸ ਹਰਪ੍ਰੀਤ ਕੌਰ ਜੌਹਲ ਨੇ ਇਹ ਫੈਸਲਾ ਸੁਣਾਇਆ।

ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਪੇਸ਼ ਹੋਏ ਵਕੀਲ ਨੇ ਦਲੀਲ ਦਿੱਤੀ ਕਿ ਨਿਲਾਮੀ ਪ੍ਰਕਿਰਿਆ ਵਿਚ ਕਈ ਖਾਮੀਆਂ ਰਹੀਆਂ ਹਨ ਅਤੇ ਇਸ ਨੂੰ ਰੱਦ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ। ਹਾਲਾਂਕਿ ਅਦਾਲਤ ਨੇ ਕਿਹਾ ਕਿ ਇਹ ਮਾਮਲਾ ਪਹਿਲੀ ਨਜ਼ਰੇ ਰਿੱਟ ਅਧਿਕਾਰ ਖੇਤਰ ਵਿਚ ਆਉਣ ਵਾਲਾ ਨਹੀਂ ਹੈ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਪਹਿਲਾਂ ਅਪੀਲ ਰਾਹੀਂ ਰਾਹਤ ਲੈਣੀ ਚਾਹੀਦੀ ਹੈ।

ਅਦਾਲਤ ਨੇ ਕਿਹਾ ਕਿ ਅਪੀਲ ਅਥਾਰਟੀ ਕੋਲ ਤੱਥਾਂ ਅਤੇ ਕਾਨੂੰਨੀ ਪਹਿਲੂਆਂ ਦੋਵਾਂ ਨੂੰ ਵਿਚਾਰਨ ਦੀ ਸ਼ਕਤੀ ਹੈ। ਇਸ ਲਈ ਪਟੀਸ਼ਨਰ ਨੂੰ ਸਿੱਧੇ ਤੌਰ 'ਤੇ ਹਾਈ ਕੋਰਟ ਆਉਣ ਦੀ ਬਜਾਏ ਪਹਿਲਾਂ ਅਪੀਲ ਦਾਇਰ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ। ਇਸ ਤੋਂ ਬਾਅਦ ਪਟੀਸ਼ਨ ਖਾਰਜ ਕਰ ਦਿੱਤੀ ਗਈ।

ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਪੇਸ਼ ਹੋਏ ਵਕੀਲ ਨੇ ਦਲੀਲ ਦਿੱਤੀ ਕਿ ਨਿਲਾਮੀ ਪ੍ਰਕਿਰਿਆ ਵਿਚ ਕਈ ਖਾਮੀਆਂ ਰਹੀਆਂ ਹਨ ਅਤੇ ਇਸ ਨੂੰ ਰੱਦ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ। ਹਾਲਾਂਕਿ ਅਦਾਲਤ ਨੇ ਕਿਹਾ ਕਿ ਇਹ ਮਾਮਲਾ ਪਹਿਲੀ ਨਜ਼ਰੇ ਰਿੱਟ ਅਧਿਕਾਰ ਖੇਤਰ ਵਿਚ ਆਉਣ ਵਾਲਾ ਨਹੀਂ ਹੈ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਪਹਿਲਾਂ ਅਪੀਲ ਰਾਹੀਂ ਰਾਹਤ ਲੈਣੀ ਚਾਹੀਦੀ ਹੈ।

ਅਦਾਲਤ ਨੇ ਕਿਹਾ ਕਿ ਅਪੀਲ ਅਥਾਰਟੀ ਕੋਲ ਤੱਥਾਂ ਅਤੇ ਕਾਨੂੰਨੀ ਪਹਿਲੂਆਂ ਦੋਵਾਂ ਨੂੰ ਵਿਚਾਰਨ ਦੀ ਸ਼ਕਤੀ ਹੈ। ਇਸ ਲਈ ਪਟੀਸ਼ਨਰ ਨੂੰ ਸਿੱਧੇ ਤੌਰ 'ਤੇ ਹਾਈ ਕੋਰਟ ਆਉਣ ਦੀ ਬਜਾਏ ਪਹਿਲਾਂ ਅਪੀਲ ਦਾਇਰ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ। ਇਸ ਤੋਂ ਬਾਅਦ ਪਟੀਸ਼ਨ ਖਾਰਜ ਕਰ ਦਿੱਤੀ ਗਈ।

ਪਟੀਸ਼ਨਰ ਵਲੋਂ ਪੇਸ਼ ਹੋਏ ਵਕੀਲ ਨੇ ਦਲੀਲ ਦਿੱਤੀ ਕਿ ਨਿਲਾਮੀ ਪ੍ਰਕਿਰਿਆ ਵਿਚ ਕਈ ਖਾਮੀਆਂ ਰਹੀਆਂ ਹਨ ਅਤੇ ਇਸ ਨੂੰ ਰੱਦ ਕੀਤਾ ਜਾਣਾ ਚਾਹੀਦਾ ਹੈ। ਹਾਲਾਂਕਿ ਅਦਾਲਤ ਨੇ ਕਿਹਾ ਕਿ ਇਹ ਮਾਮਲਾ ਪਹਿਲੀ ਨਜ਼ਰੇ ਰਿੱਟ ਅਧਿਕਾਰ ਖੇਤਰ ਵਿਚ ਆਉਣ ਵਾਲਾ ਨਹੀਂ ਹੈ ਅਤੇ ਪਟੀਸ਼ਨਰ ਨੂੰ ਪਹਿਲਾਂ ਅਪੀਲ ਰਾਹੀਂ ਰਾਹਤ ਲੈਣੀ ਚਾਹੀਦੀ ਹੈ।

ਅਦਾਲਤ ਨੇ ਕਿਹਾ ਕਿ ਅਪੀਲ ਅਥਾਰਟੀ ਕੋਲ ਤੱਥਾਂ ਅਤੇ ਕਾਨੂੰਨੀ ਪਹਿਲੂਆਂ ਦੋਵਾਂ ਨੂੰ ਵਿਚਾਰਨ ਦੀ ਸ਼ਕਤੀ ਹੈ। ਇਸ ਲਈ ਪਟੀਸ਼ਨਰ ਨੂੰ ਸਿੱਧੇ ਤੌਰ 'ਤੇ ਹਾਈ ਕੋਰਟ ਆਉਣ ਦੀ ਬਜਾਏ ਪਹਿਲਾਂ ਅਪੀਲ ਦਾਇਰ ਕਰਨੀ ਚਾਹੀਦੀ ਹੈ। ਇਸ ਤੋਂ ਬਾਅਦ ਪਟੀਸ਼ਨ ਖਾਰਜ ਕਰ ਦਿੱਤੀ ਗਈ।

5832

Pet 356.

(20)

1898/99

From

The Dy. Commissioner of the Bangalore District.

To

The Secretary to the Govt. of Mysore.

Dated 17th Revd & Encl dispatch.

Despatched 18th March 1899

Received

General No.

D No. 918.

Enclosure No. 3

Secretary's docket &c

11933 / P765-97 dt. 21st June 1898

Reports regarding the irrigation of Survey No 22 in the Halemakali village of the Ramanagala Taluk.

Put
20.3.99

Rec'd 21/3. P765-97 relating to the subject is put up.

AK 22-3-99

Sub 22.3.99

To 2nd Commissioner

Mr Wate

23/3/99

L.R. 100-99-13

Pm. 4.3.99.

Requirement to know the history of the land upon which Madhavachar became owner of it - was it then wet or dry & was it irrigated with the Kaveri or Goodlu tank water

MWS

5/4/99

Bangalore District
Dy. Commissioner's Office
Bangalore 17th March 1899.

D. No. 918
Encl 3

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To

The Secretary to the Government
of Mysore,
Genl & Rev Departments.

Sir,

With reference to your docket No. 11933 Pet. 765-97 of the 21st June 1898, calling for certain information in re the irrigation of Survey No. 22 in the Halenahalli village of the Nelamangala Taluk, I have the honor to state as follows:-

2. Survey No. 22 comprises 1 acre and 12 guntas of Kharab, 9 acres and 19 guntas of dry, and 1 acre and 34 guntas of wet land, aggregating 12 acres and 25 gunlas at a total assessment of Rs 17/.

3. It will be seen from the extracts of the Pahani Registers from the year 1880, herewith submitted, that both dry as well as wet crops were raised on Survey No. 22. It is remarked in column 12, that the source of irrigation for

D. No. 128. Enclosure

Bangalore District
Dy. Commissioner's Office
Bangalore 14th May 1890.

To,

The Chief Secretary
to the Government of Mysore.

Sir,

In returning herewith the records of the case received with Government order No. 6953/344 dated 18th September 1889, I have the honour to state that Srecantaiya is unable to furnish any other evidence than who is derivable from a copy of the Kayem=gootta sunnad in which it is said that the Kayemgoottadar has to repair the katte, introduce settlers and im=prove the village. This sunnad is dated Vikruti (1830). Again in 1834 the wet land depending upon this katte in the Kayemgootta village has been settled at 4 Coodoos. In the jameen jadi account for 1860

the land in dispute of Aleuhalli is shown as only fit for wet cultivation but it had been actually given out on pasturage rate of one fanam. Then in the years 1864 and 1867 these lands were given out for wet cultivation and have since come to the enjoyment of Bheema Rao. The Amildar when letting the land out in 1867 has added a remark that the low rate of one and a quarter fanam for coodoo has been adopted as the land was dependent on its own moisture. This remark is said to be in the hand-writing of Amildar Venkatsubbia. Taking all the above circumstances into consideration I am disposed to conclude that Sreecuntaiya or his predecessors in title improved the Katte after the village had been given out on Kayemgutta and that even after such improvement the capacity was not such as to irrigate more than 4 coodoos. This Katte would

Pet
#65-97

20-4-98

MYSORE DEWAN'S OFFICE

PETITION DEPARTMENT.

L.R 100-96-9

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition

Registered No. 2512 dated 11-4-98

received at the Dewan's Office from

Commissioner of Valuation, residing in Sugar Bangalore city, in the matter of his report for reduction of assessment on land in Halenahalli in the Malavalli taluk

is forwarded, together with its enclosures, the Deputy Commissioner of the Bangalore District in continuation of this office Docket No. 8787 dated 18th March 1898 P.P. 65-97 and, and for submission of the report therein called for.

2. The petition & enclosures should be returned.

By order,

Secretary.

BANGALORE,

20/4/ 1898.

Bhima Rau took it up. But since that
time the land has not been receiving
water from the Jayar tank. It appeared
that Gowda Rau a nephew of the
aforesaid Bhima Rau and another
have now purchased the Kayamgutta
village and the former now prays
that the assessment on the land
in question may be reduced.

2. On a consideration of these
circumstances, I have come to the
conclusion that the land did not
always receive water from the Kayam-
gutta tank and was not entitled to do so.

I have the honor to be
Sir
Your most obedient servant

T. Saunders
Asstt Commissioner in District
charge
for Dy. Commissioner,
Bangalore District.

55

Draft for Govt Advice

(15)

L.R 100-96-12

(1505)

To The Deputy Commissioner
Bangalore

No. 11933. dt. 21.6.98. P.
P.F. 65-97

Correspondence ending with his letter No 1433 dt. 29/4/98

It is requested that information may be furnished on the following points

(1) What is the extent of area of Halenahalli

(2) What crops were raised on Sy No 22 from the year 1880 to the present time ? Extracts from pahanis may be sent up.

(3) In the Survey Supt's letter ~~No~~ dated 18/6/90 ~~No~~ 132 ~~dated~~ 9/6/90, it is stated that 13 grantees out of 15 ~~Nos~~ 23 of Kalenikaden are irrigated from the Jaffna tank. The D Comm is requested to report if there is any dispute regarding rights and if not why the Kayaripattu ~~if not why the [illegible]~~ ~~Nos 22 being~~ ~~irrigated from the~~ tanks should not be granted these two lands.

(4) The D Comm ~~with~~ is also requested to ~~offer~~ submit any remarks he may wish to offer on the Survey Supt's letter

18/6/95

for the crops was failing Tanks in certain years, and in other years tank water.

4. The 13 guntas out of Survey No. 23 said to have been receiving water from the Jajur tank, referred to in para 3 of the docket under reply, have since in the year 1892, been converted into dry. Survey No. 23 is to the South of the tank of Jajur and No. 22 is still more to the South of the tank.

5. In the absence of the file of vernacular correspondence on the subject I have no remarks to offer on the Survey Superintendent's letter No. 132 of the 7th June 1890.

I have the honor to be
Sir
Your most obedient servant

W. Mallamma Gowda
Dy. Commissioner,
Bangalore District.

Mms

appear never again to have been improved and the present irrigation in the Kayangutta village is said to be about three acres. It is also apparent that the land in the Government village had been subjected to a very low rate and that the water from the Kayangutta tank had not been de=pendent.

2. It would appear however that during the occupancy of this land by Madhavachar who was also the Kayangoudadar he used the water of this Katte to the land in question. In this condition of affairs the Survey settlement was extended to the Taluk when of course the then state of the irrigation was taken into account and the land subjected to the high rate of 4-14-0. In the Cotarpatrik it is stated that the land receives its supply from this Katte. The Survey settlement was introduced in Fasli 1224. In Pramadhi

REVENUE

Madhuachar resigned the land and Bheemarao the present petitioner took it up and this dispute has ever since been going on. Bheemarao having petitioned to the taluk so long ago as 10th July, 1930 (vide endorsement No. 58). These facts would show that the payment of wet kandayam by Madhuachar was no admission of his obligation to give water for irrigating this land as such an obligation was distinctly negatived by the explanatory remark of Sundara Venkataroothiyya and as soon as that explanation was lost sight of by the action of the Survey Department Madhuachar gave up the Government land and objected to give water.

3. To sum up, the case shows thus:- The land in dispute was not irrigated by Kayengootta tank till Madhuachar took it up and his occupancy with a clear

Proceedings of the Court of Collectorate.

L.R. 100-94-14

Read:

Draft-prapt

Sh[t] to Secretary

14/4/89.

Letter No. 128 dated 14th May 1890, from the Dy Collr Bangalore Dt. reporting on the petn of Bhima Rao of IV Channangala, praying for reduction of assessment on his wet land S. No. 22 of Halenkalli village in the Channangala Hli. (In extenso)

* * * * * * *

2. Letter No. 132 dated 9th June 1890, from the Supt of Revenue Survey in Mysore (In extenso)

* * * * * * *

3. Letters Nos. 1391 dated 22nd April 1898, and No. 916 dated 14th March 1899, from the Dy Collr, Bangalore Dt submitting further information on the above

under thereon.

The case is very clear. There is no evidence to show that prior to Madhavacharis taking up the land, (S. No. 22) it was cultivated with wet crops or that it received any supply of water from the Kayeringutta tank. Madhavachar who was also the owner of the tank took it up on a tank kandayam and cultivated it beneficially with the use of his own water. But when his circumstances were reversed and the land was assessed heavily with reference to the water of this tank, he gave it up. There can be no question that the Kayeringutta does not in the absence of (manual) usage or a specific contract to the contrary, bound to give the water of his tank

understanding that a low rate had been fixed as the land had no means of irrigation was not in any way prejudicial to him. The action of the Survey Department in having taken into account the source of irrigation as being available from the Nagenahalli tank was under a misapprehension of circumstances and the rate thus imposed is certainly excessive.

4. The wet lands proper under a tank in this Government village of Nagenahalli have been assessed from 3-4-a to 5-8-a per acre and any rate higher than the lowest would certainly be incorrect. Under these circumstances the most equitable order seems to be to exempt the Nagenahalli tank from the liability to irrigate on this land and to refer the matter to the Survey Superintendent in view to his revising the assessment on the same.

READ—

Letter No. 128, dated 14th May 1890, from the Deputy Commissioner, Bangalore District, reporting as follows on the petition of Bhima Rao of Nelamangala.

In returning herewith the records of the case received with Government Order No. 6953—344, dated 18th September 1889, I have the honor to state that Srikantaiya is unable to furnish any other evidence than what is derivable from a copy of the kayamgutta sannad in which it is said that the kayamguttadar has to repair the katte, introduce settlers and improve the village. This sannad is dated Vikruti (1830). Again in 1836 the wet land depending upon this katte in the kayamgutta village has been settled at four coodoos. In the Jamin-jadti account for 1830 the land in dispute of Alenahalli is shown as only fit for wet cultivation but it had been actually given out on pasturage rate of one fanam. Then in the years 1864 and 1867 these lands were given out for wet cultivation and have since come to the enjoyment of Bhima Rao. The Amildar when letting the land out in 1867 has added a remark that the low rate of one and a quarter fanam for coodoo has been adopted as the land was dependent on its own moisture. This remark is said to be in the hand-writing of Amildar Venkatsubbaiya. Taking all the above circumstances into consideration I am disposed to conclude that Srikantaiya or his predecessors in title improved the katte after the village had been given out on kayamgutta and that even after such improvement the capacity was not such as to irrigate more than four coodoos. This katte would appear never again to have been improved and the present irrigation in the kayamgutta village is said to be about three acres. It is also apparent that the land in the Government village had been subjected to a very low rate and that the water from the kayamgutta tank had not been depended on.

2. It would appear, however, that during the occupancy of this land by Madhavachar, who was also the kayamguttadar, he used the water of this katte to the land in question. In this condition of affairs the Survey Settlement was extended to the taluk, when of course the then state of irrigation was taken into account and the land subjected to the high rate of Rs. 4-14-0. In the Ootarpatrike it is stated that the land receives its supply from this katte. The Survey Settlement was introduced in Bahudanya. In Pramadi Madhavachar resigned the land and Bhima Rao the present petitioner took it up and this dispute has ever since been going on, Bhima Rao having petitioned to the taluk so long ago as 10th July 1880 (*vide* endorsement No. 82). These facts would show that the payment of wet kandayam by Madhavachar was no admission of his obligation to give water for irrigating this land as such an obligation was distinctly negatived by the explanatory remark of Amildar Venkatasubbaiya and as soon as that explanation was lost sight of by the action of the Survey Department. Madhavachar gave up the Government land and objected to give water.

3. To sum up, the case stands thus:—The land in dispute was not irrigated by kayamgutta tank till Madhavachar took it up and his occupancy with a clear understanding that a low rate had been fixed as the land had no means of irrigation was not in any way prejudicial to him. The action of the Survey Department in having taken into account the source of irrigation as being available from the kayamgutta tank was under a misapprehension of circumstances and the rate thus imposed is certainly excessive.

4. The wet lands proper under a tank in this Government village of Alenahalli have been assessed from Rs. 3-4-0 to Rs. 5-8-0 an acre and any rate higher than the lowest would certainly be incongruous. Under these circumstances the most equitable order seems to be to exempt the kayamguttadar from the liability to irrigate this land and to refer the matter to the Survey Superintendent in view to his revising the assessment on the same.

5. Papers as per below now filed are also herewith sent.

Copy of sannad dated Vikruti 1830.
Copy of kayamgutta patta dated 1836.
Page No. 6 of Jamin Jhada account of 1860.
Darkhast from Gopalachar, dated 1681, together with the tapsil patti and muchalika.
Darkhast from Madhavarayachar in 1867, together with the tapsil patti and muchalika.
Endorsement No. 80, dated 10th July 1880, issued to Bhima Rao.

(2) Letter No. 132, dated 9th June 1890, from the Superintendent of Revenue Survey in Mysore.

In reply to your docket No. 1418—22, dated 23rd May 1890, with enclosures, herewith returned, I have the honor to report that as the kayamgutta village of Jagur in the Nelamangala taluk was measured only *en bloc* and was not classed, there is no information forthcoming as to the date on which the tank was first constructed.

2. At the time of classing Survey No. 22 of Alenahalli the patta had just been changed from Madhavarayachar's name to the name of Raghanna, son of Bhima Rao, a remark to this effect appearing in the Classers' Book.

3. If I may offer an opinion on the question at issue I should say that as the Jagur tank, a katte, was evidently in existence prior to the grant of the kayamgutta village in 1830, the Inamdar of the Jagur village has no right to interfere with the "mamul" as regards the water-supply to Survey No. 22 of Halenahalli.

4. The Deputy Commissioner I observe considers the assessment fixed by the Survey Department on Survey No. 22 as excessive, but I am unable to see upon what grounds he bases this opinion. The Classers found the water of the Jagur tank was utilized for irrigating the land and very properly valued the supply as they found it. There is no reason to suppose that there was any misapprehension of the circumstances of the irrigation as suggested by the Deputy Commissioner. Bhima Rao, so far as the records show, is quite willing to hold Survey No. 22 at the survey rates. The source of supply is distinctly put down by the Classer as the kayamgutta village tank and I imagine that there can be no doubt that such was the real state of things at the time of classification.

5. Survey No. 22 now in question and 13 guntas out of Survey No. 23 are the only lands in Halenahalli classed as receiving water-supply by channel from the Jagur tank. The Classers could only class according to what they found and not according to the right or otherwise of the land to use the water of the Jagur tank.

(3) Letters Nos. 1391, dated 22nd April 1898, and 918, dated 17th March 1897, from the Deputy Commissioner, Bangalore District, submitting further information on the above petition.

With reference to your docket No. 8787—Pet. F. 65-97 of the 18th March 1898, calling for some information regarding the irrigation of Survey No. 22 of the Halenahalli village in the Nelamangala taluk from the Jagur kayamgutta tank, I have the honor to forward herewith a statement made by Govinda Rao, one of the present kayamguttadars of Jagur and holder of Survey No. 22 of the Halenahalli village. In the statement, he says that the land was originally lying waste and that in the year Prabhava (1867-68), it was taken up by Madhavachar, the then kayamguttadar of the Jagur village, who cultivated it with the aid of the water of the tank in his kayamgutta village. In 1878-79 on account of the high assessment imposed on the land during the Survey Settlement, he relinquished it, and one Bhima Rao took it up. *But since that time the land has not been receiving water from the Jagur tank.* It appears that Govinda Rao, a nephew of the aforesaid Bhima Rao, and another have now purchased the kayamgutta village and the former now prays that the assessment on the land in question may be reduced.

2. On a consideration of these circumstances, I have come to the conclusion that the land did not always receive water from the kayamgutta tank and was not entitled to do so.

With reference to your docket No. 11933—Pet. F. 65-97 of the 21st June 1898, calling for certain information *in re* the irrigation of Survey No. 22 in the Halenahalli village of the Nelamangala taluk, I have the honor to state as follows.—

2. Survey No. 22 comprises 1 acre and 12 guntas of kharab, 9 acres and 19 guntas of dry, and 1 acre and 34 guntas of wet land, aggregating 12 acres and 25 guntas at a total assessment of Rs. 17.

3. It will be seen from the extracts of the Pahani Registers from the year 1880, herewith submitted, that both dry as well as wet crops were raised on Survey No. 22. It is remarked in column 12, that the source of irrigation for the crops was "falling rains" in certain years, and in other years tank water.

5. Papers as per margin were filed and also herewith sent.

Cowle Counā dated Vibruti 930.
Cōpy of Hanumantha Patta dated 1836.
Page No. 6 of Jamin Phāda account of 1860.
Darkhast from Gopalachar dated 1864, together with the Tasil Patti and Muchalika
Darkhast from Madhavaramachar 1864 together with the Tasil Patti and Muchalika.
Endorsement No. 80 dated 10th July 1850 issued to Bhima Rao.

Sheriff &c.

/s/ Signed C. S. Trichinopoly

Deputy Commissioner.

Copy

P. Venkatarangayya

Dy. Commissioner,
Bangalore District.

1898/99.

66

From The Secretary to the Govt of Bombay P.W.D.

To The Superintending Engineer Sanjeevi District

Dated 21st June 98

No. 1933

Ref. 65:97

Correspondence ending with this letter

No. 433 dated 29th April 1898.

Sir,

I am directed to request that inform-
ation may be furnished on the following
points:—

(1) What is the extent and assess-
ment of Survey No. 22 of Talemakki

(2) What crops are raised on Survey
No. 22 from the year 1880 to the
present time? Extracts from
Patkani Registers since the
Lease.

(3) In para 4 of the Survey Offic-
er and Superintendents letter No. 132 dated
9th June 1898 it is stated that 13
Guntas out of Survey No. 23 of
Talemakki are irrigated
from the Injar tank. The Dy.
Commissioner is requested to
report if there is any dispute regard-
ing this and if not why his name

IN THE COURT OF SESSIONS JUDGE, SAARTHAL

Criminal Appeal No. 91-4-99

Appellant: Ramesh Kumar Bhatia, aged about 34 years, son of Late Shri Mohan Lal Bhatia, resident of House No. 12, Gali No. 3, Shanti Nagar, Saarthal.

Respondent: State of Uttarakhand, through Public Prosecutor, Saarthal.

Appeal under Section 374 of the Code of Criminal Procedure, 1973, against the judgment and order dated 18-1-1999 passed by the Chief Judicial Magistrate, Saarthal, in Criminal Case No. 1284 of 1997, whereby the appellant was convicted under Section 420 of the Indian Penal Code and sentenced to rigorous imprisonment for two years and a fine of Rs. 5,000/-.

The appellant above-named most respectfully submits as follows:

1. That the appellant is a resident of the locality mentioned above and is engaged in the business of dealing in second-hand motor vehicles at Saarthal.

2. That the complainant, Shri Harbans Singh Rawat, alleged that the appellant had induced him to purchase a truck bearing registration No. UK-07-3142 by representing that the vehicle was in good condition and had run only 40,000 kilometres, whereas in fact the engine had been substantially overhauled and the odometer tampered with.

3. That the learned Chief Judicial Magistrate, Saarthal, has erred in law and on the facts in holding that the ingredients of Section 420 I.P.C. were made out against the appellant.

29

By Order

for Secretary.

Entitled matter a distinctive letter
title pro tanto.

(4) The Commissioner is requested to submit any remarks he may wish to offer on this Summary before the 15th inst.

/Sgd/
Sd/ [illegible]
Secretary

"Copy
P. Sutton Cameron
Asst Secretary

73

this land outside his village no such usage or contract has been established and the classification of the land must be altered accordingly and the assessment of the land under reference S.No. 22 revised.

C.I. 8.4.99 } 15/4/99

orders to be printed } Secretary

To.

(1) The Dy Commr Bangalore Dist. (with the original + papers received with his 1391 year D4-35)

(2) The Dy Commr of other Dists.

(3). The Supdt of Revenue Survey in Mysore

14/4/95

Prepared Karnakat

15/4/99

21-4-99

+ Press copy sent to Supdt 21/4 Sent 27/4/99

Sent back for approval 17/4/99

from Pramadi where the Cattle
were made for the supply granted to
the Land, up to Vilambi. He was
informed in Govt. No. 91 of 20-2-99
that he should produce the order
of the Dy. Comr. On this he sub-
-mitted a petition to the Collr officer
and in reply he was given the
above Endorsement.

Prays that on perusal of the re-
-cords connected with the Pro. Govt.
No. 7541-9 also the connected
7-65-97 of 21-4-99 & the said
may be issued for the refund
amount paid by him vide
from Pramadi to Vilambi and
that if this cannot be done orders
may be issued for the refund of
the amount from July 1898 at
least on which date he pre the
appeal was preferred to Govt.

BK
12/6/01

Petition, dated 21st April 1899.

4. The 13 guntas out of Survey No. 23 said to have been receiving water from the Jagur tank, referred to in para 3 of the docket under reply, have since, in the year 1892, been converted into dry. Survey No. 23 is to the south of the tank of Jagur and No. 22 is still more to the south of the tank.

5. In the absence of the file of vernacular correspondence on the subject, I have no remarks to offer on the Survey Superintendent's letter No. 132 of the 9th June 1890.

No. 7541-9—Pet. F. 65-97, DATED BANGALORE, 21ST APRIL 1899.

ORDER THEREON.—The case is very clear. There is no evidence to show that prior to Madhavachar's taking up the land (S. No. 22), it was cultivated with wet crops or that it received any supply of water from the kayamgutta inam tank. Madhavachar who was also the owner of the tank took it up on a low kandayam and cultivated it beneficially with the use of his own water. But when this circumstance was ignored and the land was assessed heavily with reference to the water of this tank, he gave it up. There can be no question that the kayamguttadar is not, in the absence of (manul) usage or a specific contract to the contrary, bound to give the water of his tank for this land outside his village. No such usage or contract has been established and the classification of the land must be altered accordingly, and the assessment of the land under reference, Survey No. 22, revised.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Bangalore District (with the original papers received with No. 1391 of 22nd April 1898).
The Deputy Commissioners of other Districts.
The Superintendent of Revenue Survey in Mysore.

Ed.—H.A.R.

71

1898-99

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 21st April 1899

No. 7541-9 / Pet. F. 65-97

Passing orders on the petition of Bhima Rao of Nelamangala, praying for reduction of assessment on his wet land S. No. 22 of Halenahalli, and directing that its classification be altered and the assessment revised.

SBP—8-5-99—200

(23)

1899

No. 91

Name of Petitioner Ramaiyada Gowda

Village

Taluk

District Bangalore

Date of Arzi ? — 7 — 99

Date of Receipt 10 — 7 — 99

Date of Disposal

No. of Enclosure 2

ABSTRACT

States that he is in receipt of Govt Grant No 1238 of 97-8 — that on submitting a petn: to Amildar on 24-6-99, he was told 4-1/14 of 38-5-99, informing that his petn: has been submitted to the Govt: Office for change in the Date of Assessment, &c, & that the petr: should pay the full assessment, till final orders are passed in the matter; that thereon he has paid up the Govt: Sum due, and obtained receipts, &

prays that his case may be

1899 80

Dept

18/7/99 D.Z 65 of 99 relating to the D.K. is sent herewith.

DK 19/7/99 L.R. 100-94-16

1/ one annas Stamp affixed - Stamp cancelled by one Rupee on 15 annas

2/ The Dy Comr's order has not been produced.

Petn to be returned for these two items

mdl 20.7.99 Petr-Rd applg to the Dy Comr regarding the Refund of Excess Kandayam he has collected during Fasli 1/7/98

Received 24-7-99 Govt Grant with petition

DK 24-7-99

2

25.7.99

vided very com andorders
cued for the Return of the Excess
Assessment Collected

Ld: Govt Resl No 1288 of 17.6.99

Petn: Rcbd: to Amildar on 25.5.99

D.S.G

(24)

1891

No. 2625

Name of Petitioner Inchamadala [illegible]

Village Sirsiddi

Taluk Sanjeevaraya

District

Date of Arzi 6-6-01

Date of Receipt 7-6-01

Date of Disposal

No. of Enclosure 1

ABSTRACT

Appeal against the order of the Asst. Commr. Sanjeevaraya District No. 1134 of 13-5-01 confirming that by the Tahsildar in Endorsement No. 268 of 22-5-01. The Endorsement is as follows:-

In the matter of the alteration in the rate of Kandayam for Survey No. 22 of Inchamadali in the Taluk of Sanjeevaraya it was resolved to refuse the usual Sanction for the Reduction applied for in the said case for the following reasons [illegible]

Regd. 16-6-01

1253 Fasli 1541-9-21-4-99

1795-897

(2) 1895

14/6 Govt. Record.

Please put up 8-6-01.

Ad 18-6-01 L.R. 100 94-17

Petitioner

C.P. No. 5799 Rec-up.

15/6/01 15/6/01

Submitted to 1st Comr. Asst.

1) In time

2) Stamp sufficient

19-6-01

I think that the petr is entitled to the difference between the wet assessment imposed on his 22 original assessment imposed by the order of 21/4/88 under the Act I of 1889 when he confirmed the Fasli ... Page 223 of the Legal Remembrancer's opinion quoted at p 45 of the Bombay Land Revenue Code may be referred to in this connection.

29/6/01

16/7/01 Petr. present. Heard.

Order passed.

2625

ಮೈಸೂರು ರಾಜ್ಯಕ್ಕೆ ಸೇರಿದ ಕೆಲವು ಪ್ರದೇಶಗಳನ್ನು
ಬಿಟ್ಟುಕೊಡುವ ಬಗ್ಗೆ

ಸಂ. ಪಿಡಿ ೦/೧೯೫೬-೫೭, ದಿನಾಂಕ 9 ನವೆಂಬರ್ 1956 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೃಹ ಸಚಿವಾಲಯದ ಕಾರ್ಯದರ್ಶಿಯವರು ಮೈಸೂರು ರಾಜ್ಯದ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಯವರಿಗೆ ಬರೆದಿರುವ ಪತ್ರ.

ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ನಿಮಗೆ ಈಗಾಗಲೇ ತಿಳಿಸಿರುವಂತೆ ಮೈಸೂರು ರಾಜ್ಯಕ್ಕೆ ಸೇರಿದ ಕೆಲವು ಪ್ರದೇಶಗಳನ್ನು ಬಿಟ್ಟುಕೊಡುವ ಬಗ್ಗೆ ಮತ್ತು ಇತರ ರಾಜ್ಯಗಳಿಂದ ಕೆಲವು ಪ್ರದೇಶಗಳನ್ನು ಪಡೆಯುವ ಬಗ್ಗೆ ಪ್ರಧಾನಿಯವರು ಮತ್ತು ಗೃಹ ಸಚಿವರು ಕೈಗೊಂಡಿರುವ ನಿರ್ಧಾರಗಳನ್ನು ಜಾರಿಗೆ ತರಲು ಸಂಸತ್ತಿನಲ್ಲಿ ಮಸೂದೆಯನ್ನು ಮಂಡಿಸಲಾಗಿದೆ. ಈ ಮಸೂದೆಯ ಪ್ರತಿಯನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ. ಈ ಮಸೂದೆಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಪ್ರದೇಶಗಳ ಹಸ್ತಾಂತರವು ಜನವರಿ 1, 1957 ರಂದು ಜಾರಿಗೆ ಬರಲಿದೆ. ಆದ್ದರಿಂದ ಈ ಪ್ರದೇಶಗಳ ಹಸ್ತಾಂತರಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳ ಬಗ್ಗೆ ಸಲಹೆಗಳನ್ನು ನೀಡಲು ಮತ್ತು ಅಗತ್ಯ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳಲು ಒಂದು ಸಮಿತಿಯನ್ನು ರಚಿಸಲಾಗಿದೆ. ಈ ಸಮಿತಿಯ ಸದಸ್ಯರು ಈ ಕೆಳಕಂಡಂತಿದ್ದಾರೆ.

ಅಧ್ಯಕ್ಷರು

ಸದಸ್ಯರು

ಈ ಸಮಿತಿಯು ಈ ಕೆಳಕಂಡ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲಿದೆ.

ಈ ಸಮಿತಿಯು ಈ ಕೆಳಕಂಡ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲಿದೆ.

L.R. 100-94-18

87

Perusing petition of Lawyer

Read ~~&~~ Read again —

Perusing Report No. 7841-9 of Pet. 7.05-97 of 21-4-99 received from the Land Records Officer Dist. Jagir Relaxing the Talk from the Tehsildar to Deputy State to Land Records Dist. Jagir Tehsildar Mailand Tehsil Deputy State Land Records Officer Mailand

Read Petition No. 1025 dt. 6-11 from petitioner Lawyer Sultanpalli praying that the Report dt. Mailandpalli dt. 21-4-99 may be set aside & Report No. 386 dt. Mailandpalli dt. 22-8-01 may be accepted in the light of the Report dt. 18-9 which has been submitted by the Land Records Officer Mailand in Pet. 7.05-97 dt. 22.8.01

Report received that the petitioner Exhibits the Report dt. refund of the Report originally submitted and the Report dt. 18-9 submitted by the Land Records Officer Mailand in Pet. 7.05-97 dt. 22.8.01 is correct

Dft

To Mr. Lawyer Sultanpalli, Cl. Mr. Lee,

(25)

22-8-19

L. R. 100-4-19

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